UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

APR 2 4 2008

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|---|---|---|
| CARD & PARTY MART II LTD., individually and on behalf of a class of all those similarly situated,<br><br>Plaintiff,<br><br>v.<br><br>CADBURY ADAMS CANADA, INC., CADBURY SCHWEPPES PLC, HERSHEY CANADA INC., THE HERSHEY COMPANY, MARS CANADA INC., MARS, INCORPORATED, MARS NORTH AMERICA, MARS SNACKFOODS U.S.A. LLC, NESTLE CANADA INC., NESTLE S.A., NESTLE USA, INC., and ITWAL, LTD.<br><br>Defendants. | ) | Case No. 1:08-cv-01960-PKC<br><br>**MOTION TO ADMIT COUNSEL PRO HAC VICE** |

FILED U.S. DISTRICT COURT 2008 APR 24 AM 11:05

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Robert G. Eisler, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Scott W. Carlson
Heins Mills & Olson, P.L.C.
310 Clifton Avenue
Minneapolis, MN 55403
(612) 338-4605
Fax: (612) 338-4692
scarlson@heinsmills.com

Scott W. Carlson is a member in good standing of the Bar of the State of Minnesota, and there are no pending disciplinary proceedings against him in any State or Federal court.

Dated: April 23, 2008

New York, NY

Respectfully submitted,

Robert G. Eisler (RE-1398)
Cohen, Milstein, Hausfeld & Toll, PLLC
150 East 52nd Street
Thirtieth Floor
New York, NY 10022
Tel: 212-838-7797
Fax: 212-838-7745

# STATE OF MINNESOTA
# IN SUPREME COURT

*Certificate of Good Standing*

This is to certify that the following lawyer is in good standing.

SCOTT WILLIAM CARLSON

was duly admitted to practice as a lawyer and counselor at law in all the courts of this state on

October 29, 2004

Given under my hand and seal of this court on

April 11, 2008

Fredrick K. Grittner
Clerk of Appellate Courts

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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| CARD & PARTY MART II LTD., individually and on behalf of a class of all those similarly situated,<br><br>Plaintiff,<br><br>v.<br><br>CADBURY ADAMS CANADA, INC., CADBURY SCHWEPPES PLC, HERSHEY CANADA INC., THE HERSHEY COMPANY, MARS CANADA INC., MARS, INCORPORATED, MARS NORTH AMERICA, MARS SNACKFOODS U.S.A. LLC, NESTLE CANADA INC., NESTLE S.A., NESTLE USA, INC., and ITWAL, LTD.<br><br>Defendants. | Case No. 1:08-cv-01960-PKC<br><br>**AFFIDAVIT OF ROBERT G. EISLER IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE** |

State of New York )
) ss:
County of New York )

Robert G. Eisler, being duly sworn, hereby deposes and says as follows:

1. I am a partner at Cohen, Milstein, Hausfeld & Toll, PLLC, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Scott W. Carlson as counsel pro hac vice to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York and the Commonwealth of Pennsylvania, and was admitted to practice law in New York in April, 2001. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Scott W. Carlson since January 2006.

4. Mr. Carlson is an associate attorney at Heins Mills & Olson, P.L.C. in Minneapolis, Minnesota.

5. I have found Mr. Carlson to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move for the admission of Scott W. Carlson, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Scott W. Carlson, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Scott W. Carlson, pro hac vice, to represent Plaintiff in the above captioned matter be granted.

Dated: April 23, 2008
New York, NY

Respectfully submitted,

Robert G. Eisler (RE-1398)

Notarized: Theresa A. Graham

THERESA A. GRAHAM
Notary Public, State of New York
No. 01GR5054854
Qualified in Bronx County
Commission Expires Jan. 29, 2010

# EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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Upon the motion of Robert G. Eisler, counsel for Plaintiff in the above captioned case, and said sponsor attorney's affidavit in support,

**IT IS HEREBY ORDERED** that

Scott W. Carlson
Heins Mills & Olson, P.L.C.
310 Clifton Avenue
Minneapolis, MN 55403
(612) 338-4605
Fax: (612) 338-4692
scarlson@heinsmills.com

is admitted to practice pro hac vice as counsel for Plaintiff in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the clerk of the Court.

Dated: ____________________, 2008

_________________________________
P. Kevin Castel
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of April, 2003, I caused to be served via First Class U.S. mail, a true and correct copy of the foregoing Motion for Admission Pro Hac Vice and the proposed Order upon the counsel listed below:

Steven A. Kanner
Douglas A. Millen
Robert J. Wozniak
Freed Kanner London & Millen LLC
2201 Waukegan Road, Suite 130
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Donna Chevannes